

Serial No. 10/773,250

Attorney Docket # 2270-001

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re application of:

SEP 06 2006

APPLICANT: Michael J. ALBERTS.

ART UNIT: 2116

SERIAL NO. : 10/773,250 :

Examiner: Ernesto GARCIA

FILED: February 9, 2004

TITLE: MODULAR STACKABLE FENCE APPARATUS

September 6, 2006

U. S. Commissioner of Patents and Trade-Marks  
P.O. Box 1450  
ALEXANDRIA, VA 22313-1450  
U.S.A.

**Via Facsimile to Technology Center 2116 (After Final) 1-571-273-8300**

Sir:

**RESPONSE AND AMENDMENT**

This amendment is responsive to the Examiner's FINAL action dated June 19, 2006 and due September 19, 2006 without penalty.

Applicant has added new claims 15-18 and canceled claims 8 and 12. Applicant believes that the total number of claims is less than 20, however there is one independent claim in excess of 3 and therefore a credit card authorization is attached hereto in the amount of \$100 for the additional independent claim.

09/07/2006 MBINAS 00000011 10773250

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**FACSIMILE COVER SHEET****GOODWIN MCKAY***Banisters, Solicitors, Patent and Trademark Agents*

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FACSIMILE No.: **(571) 273-8300**Total Pages in Fax **25**ATTENTION: **Examiner Ernesto Garcia**

VOICE No.:

COMPANY: **USPTO Group Art Unit TC 2116**OUR FILE No.: **2270-001** Your File No.: **10/773,250** DATE: **September 6, 2006****NOTES:****RESPONSE TO FINAL OFFICE ACTION**In re application of :  
**Michael Alberts****Examiner: Ernesto Garcia****SERIAL NO. 10/773,250** : **Group Art Unit 2116****FILED:** February 9, 2004**TITLE:** MODULAR STACKABLE FENCE APPARATUS

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